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24                  Services, II, LLC*

25                  **UNITED STATES DISTRICT COURT**

26                  **DISTRICT OF NEVADA**

27                  NATASHA PORTEOUS, on behalf of herself  
28                  and all others similarly situated,

29                  Plaintiff,

30                  vs.

31                  CAPITAL ONE SERVICES II, LLC; and  
32                  DOES 1 through 50, inclusive,

33                  Defendant(s).

34                  Case No.: 2:17-CV-02866-JCM-GWF

35                  **ORDER GRANTING PRELIMINARY  
36                  APPROVAL OF CLASS ACTION  
37                  SETTLEMENT**

38                  TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

39                  The Application for Preliminary Approval of a Class Action Settlement came before  
40                  this Court, the Honorable James C. Mahan presiding, on **April 23, 2021**. This Court,  
41                  having considered the papers submitted in support of the application of the parties, HEREBY  
42                  ORDERS THE FOLLOWING:

43                  1.           This Court grants preliminary approval of the Settlement and the Settlement  
44                  Class based upon the terms set forth in the Joint Stipulation of Settlement and  
45                  Release between Plaintiff and Defendant ("Stipulation of Settlement") filed

1 herewith. The Settlement appears to be fair, adequate and reasonable to the  
2 Class.

3 2. The Settlement falls within the range of reasonableness and appears to be  
4 presumptively valid, subject only to any objections that may be raised at the final  
5 fairness hearing and final approval by this Court.

6 3. A final fairness hearing on the question of whether the proposed Settlement,  
7 attorneys' fees to Class Counsel, and the Class Representative Enhancement  
8 Award should be finally approved as fair, reasonable and adequate as to the  
9 members of the Class is scheduled in accordance with the Implementation  
10 Schedule set forth below.

11 4. This Court approves, as to form and content, the Notice of Pendency of Class  
12 Action and Request for Exclusion Form ("Notice of Pendency of Class Action")  
13 in substantially the form attached to the Stipulation of Settlement. This Court  
14 approves the procedure for Class Members to participate in, to opt out of and to  
15 object to, the Settlement as set forth in the Notice of Pendency of Class Action.

16 5. This Court directs the mailing of the Notice of Pendency of Class Action by first  
17 class mail to the Class Members in accordance with the Implementation  
18 Schedule set forth below. This Court finds the dates selected for the mailing and  
19 distribution of the Notice, as set forth in the Implementation Schedule, meet the  
20 requirements of due process and provide the best notice practicable under the  
21 circumstances and shall constitute due and sufficient notice to all persons entitled  
22 thereto.

23 6. It is ordered that the Settlement Class is preliminarily certified for settlement  
24 purposes only.

25 7. This Court confirms Plaintiff Natasha Porteous as Class Representative and  
26 Thierman Buck, LLP as Class Counsel.

27 8. This Court confirms Simpluris as the Claims Administrator.

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1           9. To facilitate administration of the Settlement pending final approval, this Court  
 2 hereby enjoins Plaintiff and all Class Members from filing or prosecuting any  
 3 claims, suits or administrative proceedings (including filing claims with the  
 4 Nevada Office of the Labor Commissioner) regarding claims released by the  
 5 Settlement unless and until such Class Members have filed valid Requests for  
 6 Exclusion with the Claims Administrator and the time for filing claims with the  
 7 Claims Administrator has elapsed.

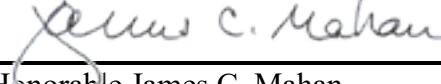
8           10. This Court orders the following **Implementation Schedule** for further  
 9 proceedings:

11	a.	Deadline for Defendant to Submit Class Member Information to Claims Administrator	<b>May 7, 2021</b> [14 calendar days after Order granting Preliminary Approval]
12	b.	Deadline for Claims Administrator to Mail the Notice to Class Members	<b>May 17, 2021</b> [10 calendar days after receipt of Class information from Defendant]
13	c.	Deadline for Class Members to Postmark Requests for Exclusions	<b>June 16, 2021</b> [30 calendar days after initial mailing of the Notice to Class Members]
14	d.	Deadline for Receipt by Court and Counsel of any Objections to Settlement	<b>June 16, 2021</b> [30 calendar days after initial mailing of the Notice to Class Members]
15	e.	Deadline for Class Counsel to file Motion for Final Approval of Settlement, Attorneys' Fees, Costs, and Enhancement Award	<b>June 23, 2021</b> [7 calendar days before Final Approval Hearing]
16	f.	Deadline for Class Counsel to File Declaration from Claims Administrator of Due Diligence and Proof of Mailing	<b>June 23, 2021</b> [7 calendar days before Final Approval Hearing]
17	g.	Final Fairness Hearing	<b>June 30, 2021 at 10:30am</b>
18	h.	Deadline for Defendant to Fund Settlement Account maintained by Claims Administrator	<b>July 21, 2021</b> [21 calendar days after Effective Date]
19	i.	Deadline for Claims Administrator to wire transfer the Attorneys' Fees and Costs to Class Counsel (if Settlement is Effective)	<b>July 26, 2021</b> [5 calendar days after Defendant Funds Settlement Account]
20	j.	Deadline for Claims Administrator	<b>July 31, 2021</b>

1	2	3	to mail the Settlement Awards to Class Members and the Enhancement Awards to Class Representatives (if Settlement is Effective)	4 [10 days after Defendant Funds Settlement Account]
5	6	7	8 k. Claims Administrator to File Proof of Payment of Settlement Awards, Enhancement Award, Attorneys' Fees and Costs (if Settlement is Effective)	9 <b>September 28, 2021</b> 10 [90 calendar days after Effective Date]
11	12	13 l. Deadline checks paid to Claimants shall remain valid and negotiable	14	15 <b>October 29, 2021</b> 16 [90 calendar days from the date of issuance]
17	18	19 m. Deadline for Settlement Administrator to pay uncashed funds to the <i>cy pres</i> beneficiary	20	21 <b>January 1, 2022</b>

11 **IT IS SO ORDERED.**

12 Dated: April 23, 2021

13   
 14 Honorable James C. Mahan  
 15 District Court Judge

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